offer, in compliance with Senate Rules, the opportunity for Rules Committee staff to brief the appropriate forum you establish for your legislative review.

My experience in this case leads me to recommend that—in light of the number of instances where the electoral safeguards, including record keeping, were not followed in the November 1996 elections, from the precinct level right up to the office of the Commissioner of Elections—your review should include an examination of what legislative or regulatory changes and enhanced adherence to present laws are needed to ensure that an official body, be it a body of the U.S. Congress, a court of law, or an appropriate governmental authority in your state, can more readily reach a credible and well documented decision about a statewide election contest.

Our foremost duty is to ensure our elections are conducted fairly and in accordance with law. We remain willing to provide you our observations and suggestions, within Senate rules, to assist you in your efforts to protect our electoral process.

Sincerely,

JOHN WARNER,
Chairman.

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT,
Baton Rouge, LA, September 29, 1997.

Hon. JOHN WARNER,
Chairman, Senate Committee on Rules and Administration, Washington, DC.

DEAR SENATOR WARNER: I am in receipt of your letter of September 26 in which you informed me of your Rules Committee report to be delivered Wednesday and detailed some of your observations and wisdom gained through years of oversight.

So much of your thought process and concerns directly parallel my own. The allegations of fraud and irregularities which may have affected the outcome of the November 1996 U.S. Senate election are serious and disturbing. But, of even greater long term consequence are the suspicions that you and I apparently both share that there are chronic, systemic, and structural problems in the Louisiana election process.

These issues are not about party affiliation. They are not about individual candidates or specific elections, even though this election in question clearly has illustrated some of the problems. The issue is the integrity and sanctity of our election process and its results. I share wholeheartedly with you your basic premise that our foremost duty is to ensure that our elections are conducted fairly and in accordance with the law.

I particularly share your frustration that our system of record keeping precludes adequate standards of accountability and that our lax enforcement substantially lowers public confidence in our elections. Witness to this is the fact that we recently learned that we have thousands of felons still on the voter rolls.

Regardless of the future course of your investigation with the Rules Committee, Louisiana has a duty and an obligation to fashion a remedy for the many ills which have so amply been illustrated throughout these past months.

Therefore, I will call for a bipartisan state legislative initiative with hearings focusing on every element of our registration and election process, involving Democrats and Republicans, and all appropriate state and local registrars, elections officials, and enforcement authorities.

Nothing in a democracy is more sacred than the integrity of elections. On behalf of the state of Louisiana we offer our deepest appreciation for your efforts in identifying the problem areas in our elections system, and we gratefully accept your offer to have Rules Committee staff provide important information and examples of problems to our state hearings.

Again we sincerely appreciate the earnestness of your efforts and hope that your diligence and the ensuing hearings in Louisiana will profoundly impact our elections system for the better.

With kinds regards, I am,

Sincerely,

M.J. ''MIKE'' FOSTER, Jr.,
Governor.

Mr. SANTORUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I rise today to congratulate the chairman of the Rules Committee for one of the most difficult tasks that any Member will be called upon to take in the U.S. Senate, and that is to look into the election of another Member of the Senate. It immediately has partisan overtones and can take a very ugly turn.

I can say that having sat through many of the hearings, both open and closed hearings, having sat with the chairman and seeing the efforts of this case and seeing the level of detail to which he took personally getting involved in this investigation and trying to ferret out the validity of the charges that were alleged, I am very proud of Senator WARNER's work on this investigation. He did it with the skill of the trained lawyer that he is. He did it in a way, really as the Senate's counsel, if you will, and also did it with, I believe, an extraordinary air of bipartisanship when, in fact, the partisan wranglings had boiled over far beyond what he actually deserved.

He did an excellent job. He did a thorough job. He used the resources that he had to the greatest extent that he possibly could. He took lots of arrows, in many cases in the back. But he stood tall and kept his eye on the ball, and that was to find out what happened in Louisiana, whether these charges that were put forward were, in fact, legitimate. He is determined, as well as the other members of the committee, that at this point there is not sufficient evidence to suggest that there was a systematic case of fraud in Louisiana, and so the investigation must come to a conclusion.

I support the chairman in that decision. I supported him, as did every other member of the Rules Committee, in the decision that he came to after this thorough and thoughtful investigation of the information that was presented to him.

I just wanted to take the floor today to commend him for a job well done. No doubt he will be criticized by many for ending this investigation, but I want to stand with him in saying that I think he reached the conclusion that was the only conclusion that could be reached at this point.

Having said that, obviously, just like with any of us, if information comes out subsequent that is a smoking gun or that is really problematic, then that evidence can be brought before the Rules Committee and we can take a look at it. To this point, that has not occurred, and I think the chairman has acted judiciously with respect to the evidence before him.

I wanted to stand and offer my gratitude for his excellent work and state my support for his effort. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, let me thank the chairman of the Rules Committee, the distinguished Senator from Virginia, for his honest, straightforward, and direct investigation and statements in closed session and in public today. I think it is evident from his effort, with the vote of 16 to nothing, bipartisan, that we now cease and desist as it relates to the investigation of the Louisiana election, and the distinguished Senator MARY LANDRIEU be seated as a true Senator without any cloud over her head whatsoever, so she can get about the business of full-time representation of Louisiana.

I thank the chairman. I thank the members of the committee. I think it is now time that we put this behind us and proceed with the business of the Senate.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Florida.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

Mr. MACK. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1156, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1156) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District, for the fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Coats modified amendment No. 1249, to provide scholarship assistance for District of Columbia elementary and secondary school students.

Graham-Mack-Kennedy amendment No. 1252, to provide relief to certain aliens who would otherwise be subject to removal from the United States.

Mack-Graham-Kennedy modified amendment No. 1253 (to amendment No. 1252) in the nature of a substitute.

AMENDMENT NO. 1253 TO AMENDMENT NO. 1252

The PRESIDING OFFICER. The amendment of the Senator from Florida is the pending business.

Mr. MACK. Mr. President, I ask unanimous consent that Senator DEWINE be added as a cosponsor to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MACK. Mr. President, this amendment was offered last Thursday. We still have not had one Member come to the floor to speak in opposition to it. It has received support from both sides of the aisle and is supported by Senator ABRAHAM, the chairman of the authorizing subcommittee. It has received positive editorial support from a wide array of newspapers, including the Washington Times and the New York Times. It has also received the endorsement of Empire America. Yesterday I introduced into the RECORD a letter of support from Jeanne Kirkpatrick, Jack Kemp, William Bennett, Lamar Alexander and Steve Forbes.

This is a narrowly targeted amendment which merely ensures that Central Americans receive the due process which they were originally promised. It is focused on an identifiable group of people and ensures their opportunity to apply for suspension of deportation. It is not a grant of immunity.

I have not been able to obtain an upor-down vote on my amendment, so I will be moving to table my own amendment. I will oppose the motion to table, and ask for the support of my colleagues in opposing the motion to table.

So, Mr. President, I therefore move to table amendment No. 1253.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table.

Mr. MACK. Mr. President, I ask unanimous consent that this vote be delayed until 12:15.

The PRESIDING OFFICER. Without objection, it is so ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I am pleased that after almost a week we are on the verge of having an expression of the Senate on this important issue. I ask unanimous consent that Senator BOXER also be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. I ask unanimous consent that a statement by the President, which was released on July 25 of this year, at the time the administration supported the principles of the Immigration Reform Transition Act of 1997, also be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
OFFICE OF THE PRESS SECRETARY,
July 25, 1997.

FOR IMMEDIATE RELEASE

To the Congress of the United States:

I am pleased to submit for your immediate consideration and enactment the ''Immigration Reform Transition Act of 1997,'' which is accompanied by a section-by-section analysis. This legislative proposal is designed to ensure that the complete transition to the new ''cancellation of removal'' (formerly ''suspension of deportation'') provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA; Public Law 104–208) can be accomplished in a fair and equitable manner consistent with our law enforcement needs and foreign policy interests.

This legislative proposal would aid the transition to IIRIRA's new cancellation of removal rules and prevent the unfairness of applying those rules to cases pending before April 1, 1997, the effective date of the new rules. It would also recognize the special circumstances of certain Central Americans who entered the United States in the 1980s in response to civil war and political persecution. The Nicaraguan Review Program, under successive Administrations from 1985 to 1995, protected roughly 40,000 Nicaraguans from deportation while their cases were under review. During this time the *American Baptist Churches* v. *Thornburgh* (ABC) litigation resulted in a 1990 court settlement, which protected roughly 190,000 Salvadorans and 50,000 Guatemalans. Other Central Americans have been unable to obtain a decision on their asylum applications for many years. Absent this legislative proposal, many of these individuals would be denied protection from deportation under IIRIRA's new cancellation of removal rules. Such a result would unduly harm stable families and communities here in the United States and undermine our strong interests in facilitating the development of peace and democracy in Central America.

This legislative proposal would delay the effect of IIRIRA's new provisions so that immigration cases pending before April 1, 1997, will continue to be considered and decided under the old suspension of deportation rules as they existed prior to that date. IIRIRA's new cancellation of removal rules would generally apply to cases commenced on or after April 1, 1997. This proposal dictates no particular outcome of any case. Every application for suspension of deportation or cancellation of removal must still be considered on a case-by-case basis. The proposal simply restores a fair opportunity to those whose cases have long been in the system or have other demonstrable equities.

In addition to continuing to apply the old standards to old cases, this legislative proposal would exempt such cases from IIRIRA's annual cap of 4,000 cancellations of removal. It would also exempt from the cap cases of battered spouses and children who otherwise receive such cancellation.

The proposal also guarantees that the cancellation of removal proceedings of certain individuals covered by the 1990 ABC litigation settlement and certain other Central Americans with long-pending asylum claims will be governed by the pre-IIRIRA substantive standard of 7 years continuous physical presence and extreme hardship. It would further exempt those same individuals from IIRIRA's cap. Finally, individuals affected by the legislation whose time has lapsed for reopening their cases following a removal order would be granted 180 days in which to do so.

My Administration is committed to working with the Congress to enact this legislation. If, however, we are unsuccessful in this goal, I am prepared to examine any available administrative options for granting relief to this class of immigrants. These options could include a grant of Deferred Enforced Departure for certain classes of individuals who would qualify for relief from deportation under this legislative proposal. Prompt legislative action on my proposal would ensure a smooth transition to the full implementation of IIRIRA and prevent harsh and avoidable results.

I urge the Congress to give this legislative proposal prompt and favorable consideration.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *July 24, 1997.*

Mr. GRAHAM. Mr. President, this is an extremely important and urgent bill, because the continuation of the 1996 law, with what I will describe as its inadvertent retroactive application to this class of people, is causing great distress and unnecessary instability in communities that are principally affected. As those who participated in the press conference earlier today underscored, this is a group of people who came here largely at our request. They came here because communism had taken over their country. They came here because the Soviet Union was establishing a satellite state in our own hemisphere. They came here in order to participate in those ultimately successful efforts to establish a democratic government in Nicaragua.

Now for us to change the rules from those that were in place at the time we extended that invitation, to have the practical effect of denying these people even the opportunity to be heard on their request for a permanent residence in the United States, is outrageous and inconsistent with basic American principles.

I underscore what Senator MACK and I have said throughout this debate. This is not an amnesty provision. By the passage of this legislation, no one automatically has their status in the United States altered. What they do have is the right to use the rules that were in effect when they came to this country to apply for permanent legal status in the United States. I think that is just fair and consistent with the relationships that we want to establish with, particularly, our neighbors in this hemisphere.

Mr. President, I applaud my colleague for having asked for this tabling motion which, obviously, is not a motion in which he is going to urge success, but it is our means of getting an expression of opinion by the U.S. Senate on this fundamental issue. I urge defeat of the motion to table and then a quick adoption of this amendment. Thank you, Mr. President.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I rise in strong support of the Mack amendment. I, of course, therefore will oppose the motion to table. This amendment will ensure that fundamental principles of fairness are respected in regard to the cases of some 316,000 immigrants, some of them from Central America.

In the immigration bill Congress passed last year, we changed the criteria for suspension of deportation. Certain retroactive changes in that bill, at least as they have been interpreted by the INS, had the unintended

effect of applying these new criteria to applications of suspension for deportation which were already in the pipeline when the bill was passed.

The Mack amendment will ensure that those immigrants whose cases were in the pipeline when the 1996 immigration law took effect will have their cases decided according to the criteria in effect at the time that the law actually passed. It is only fair that we should not change the rules in midstream for these worried immigrants.

Let me take us back to the 1980's when we granted these 316,000 Central American immigrants temporary protection from deportation. We knew at that time the terrible consequences of war—the grinding poverty, human rights abuses that had driven these men, women, and, yes, children, to our shores.

At that time, we told these immigrants that their protection from deportation would be permanent if certain conditions were met—that is what we told them then—7 years of continuous residency, good behavior, proof of extreme hardship awaiting them in their native country. We basically said, ''As long as you can prove that, then this will be permanent.''

When Congress changed the law in 1996, we clearly did not intend to change the rules for these people who already, at that time, were in the pipeline. We, in essence, had made a commitment to them. We, in essence, had made a deal with them, and I don't believe we should go back on that deal today.

Mr. President, the Mack amendment would keep faith with these individuals. It is not, as my colleagues from Florida have already pointed out, an automatic grant of amnesty, nor is it an automatic grant of permanent residency. Far from it. It is merely a restoration of the original conditions these immigrants have to fulfill if we are going to allow them to remain in this country.

I had the opportunity this morning to participate in a press conference concerning this issue. I also had the opportunity a few months ago to travel to Nicaragua. I had made several visits to Nicaragua in the 1980's, about a decade ago. For me to go back to Nicaragua a few months ago was a very pleasant experience, and it was pleasant because I had seen where Nicaragua was. I had the opportunity a few months ago to see where Nicaragua is today. Yes, it is still the second-poorest country in this hemisphere and, yes, there is high unemployment and, yes, there are many, many problems. But what we see in Nicaragua today is a fledgling democracy. We see a country that is becoming what we envisioned and had hoped for and worked for in the 1980's, and that is a democracy.

Today, for the first time in history, all five Central American countries are democratic; all five are working to bring about the reforms that truly are an example of democracy.

When I traveled to Nicaragua, I had the opportunity to speak with then President-elect, now President Aleman and talked to him about his vision for his country.

One of the unintended consequences of the bill we passed in 1996, and one of the unintended consequences of the deportation of these 316,000 immigrants would be that we would strike a hard blow against democracy in Nicaragua and El Salvador and the other Central American countries. Anyone who has looked at these countries today understands what an economic impact and political impact it would have if all these citizens, all of these individuals were instantly returned to their native countries.

The ability to absorb these individuals simply does not exist. It does not exist from an economic point of view. Further, this would take away a major source, frankly, of income to these countries, a major source of help to the economy, not United States foreign aid, but rather the remittances that are sent back by Nicaraguans who are living in the United States. Those remittances are a major contribution to the Nicaraguan economy today. To take that away, I think, would have a very severe and devastating blow to the economy of Nicaragua and the economy of the other Central American countries.

That is not the principal reason to support the Mack amendment, but it is a fact, and it is a fact of life.

The central reason to support the Mack amendment is what has been stated on this floor by Senator Mack on several occasions, as well as Senator GRAHAM, and that simply is this is a matter of equity, it is a matter of fairness, it is a matter of keeping our word, and it is a matter of doing what is right.

I urge my colleagues to support the Mack amendment and, therefore, vote against the motion to table the MACK amendment.

Mr. President, I yield the floor. Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

AMENDMENT NO. 1249

Mr. COATS. Mr. President, we had, I think, a very constructive debate on the school choice issue, scholarships for D.C. children. Unfortunately, while having obtained a majority vote in support of at least a test of a program to provide some educational opportunities to D.C. children, we were not able to break a procedural vote of 60 necessary to move forward with this legislation. That limited our options considerably. While Senator LIEBERMAN and I were pleased with the fact that we received more votes than we ever have on this issue, we were still two short of the necessary number to break the promised filibuster on this, and that limits our options.

Mr. President, this is an issue that is not going away. I have always said this is not something that will be legislated from the top down in Congress but will be a grassroots movement from parents and PTA's and administrators and educators and others throughout America who are demanding better education for their children. Unfortunately, in many instances, they are not finding it in some of their public schools.

This is not a condemnation of the public school system. There are many fine public schools across this country. There are dedicated teachers, dedicated administrators, schools that are providing opportunities for their young people.

I am a product of the public schools, as is my wife. Our children are products of public schools, and we have found schools that have provided a sound education for our children.

Unfortunately, there are people in this country who don't have the options that we have had, who don't have the options that those of means have in terms of where they live, the school systems they choose to support, to be a part of and options that, should they find themselves in the situation where they are living that their public schools are not providing the education their children need or a school that has such a high incidence of violence and crime and other problems that they don't feel their children are safe there, they don't have the option that many of us have of transferring their student to a private school or another school outside the system or moving to an area where they can receive the kind of education they want their children to receive.

There is a very interesting story this morning in the Washington Post: ''Popularity Grows for Alternatives to Public School. Some Districts Reacting to Threat of Competition.''

The whole point we were trying to make yesterday is that we are not trying to undo the public school system. We are trying to provide options and alternatives for parents who are trapped in those public schools. But, by the same token, we hope that the competitive pressure will shake them out of their lethargy and cause them to bring about the changes and reforms necessary to make them viable once again.

In quoting from the Post, an article by Rene Sanchez, it says:

> In a movement flustering schools across the nation, more parents than ever are choosing alternatives to public education for their children, so much that what once seemed only a fad to many educators is instead starting to resemble a revolution.
>
> Charter schools are expanding at breakneck pace. Religious schools are overflowing with new students. Home schooling is attracting unprecedented numbers of parents who only a few years ago would never have dreamed of teaching their own children.
>
> Those migrating from public education say the roots of their disenchantment vary. Some parents are frustrated with bureaucracy, others fear student violence. Some want their children to spend more time learning values, others call the one-size-fits-all model of most large public schools an ineffective and impersonal way to learn.

*****

But today those trends have begun to send a powerful message to public schools, even prompting some of them to acknowledge a threat of competition for the first time.

Our system is built on competition. We pride ourselves in America as producing the best product at the best price because of competitive pressures that force us to do better, that force us to make better products at lower cost, that force us to respond to someone else who is attempting to accomplish the same goal and might have found a better way to do it. It is that that has made this such a dynamic economy, one that employs so many people gainfully, and one that provides such a quality of living for so many Americans. That is the American way.

That system works everywhere except where there is a public monopoly, a State-run government public monopoly. That public monopoly has existed in public schools for far too long in far too many places. There are vigorous private school and parochial school options available in many parts of this country, but they are, sadly, lacking in some of the areas where they are needed the most.

But more than that, the problem is not lack of alternatives. The problem has been a system which leaves the lowest income and frequently the minority students of this country living in our urban areas with only one choice. And that choice, unfortunately, has been a failed public school. They have been denied opportunities to gain skills to enter the workplace. They have been denied opportunities to receive an education that qualifies them to go on to college or university education. They, therefore, are trapped, trapped in a system, a system which says, ''We will do anything we can to maintain the status quo, and yet at the same time we will prevent you from an alternative by blocking any attempts to provide scholarships or vouchers or stipends or support to assist you in paying the tuition if you choose to move from a public school.''

We had that debate yesterday. It was a very instructive debate. I thank my colleague from Connecticut, Senator LIEBERMAN. It is bipartisan obviously, Democrat and Republican, one from Connecticut, one from Indiana, joining forces. I appreciate the support we had from a few of our Democratic colleagues across the aisle. Unfortunately, we did not get enough to move on with this.

But there is a revolution going on in public education. It is a healthy one. It is a healthy one because parents are suddenly rising up and saying: We will not accept the platitudes and the promises that come from the public school system when now 15 years after the report ''A Nation At Risk'', 15 years later, essentially, we see no dramatic changes or no effective changes in many of our public schools. We will not accept any longer the promises of a system which cannot overcome its inertia and its bureaucracy, which cannot direct a majority of its funds to educating students but yet eats up a majority of those funds or a very substantial portion of those funds in administrative costs.

So this issue will be back. It will be back over and over again, and it will arise not because two Senators chose to offer an amendment to the D.C. appropriations bill; it will arise because constituents of Members throughout the country will demand in town meetings and in letters and in calls to their Congressmen and Senators, will demand opportunities and alternatives. No longer will inner-city poor parents, welfare parents and others living at or near the poverty line, allow their children to be condemned to a lifetime of inability to succeed because of the failure of the public school system to provide their children with an education.

They will demand that their Congressmen and their Senators provide opportunities, that their councilmen and their mayors and their school systems either provide a sound education for their children or give them the opportunity to seek that elsewhere. What parent would not do that? What parent in this Senate body would not do that? We all would because we have that choice. Minority children in many cases do not have that choice.

Mr. President, I would like to say just one more thing before I yield the floor. There was another quote in the Washington Post this morning in an article covering this particular issue. That quote was a disturbing one. There are boundaries to public discourse. There are boundaries that we all try to live by, boundaries of civility and honesty and good taste. When those limits are violated, it undermines this institution and it makes democracy more difficult.

I think deep disagreements are possible without bitterness. I have done my best to conduct my debates, including this school choice debate, in that spirit. But today in the Washington Post a quote was attributed to the Senator from Massachusetts. The Post has misquoted me in the past, and I sincerely hope that they have misquoted the Senator from Massachusetts. That quote reads:

Kennedy reminded Republicans that ''D.C. is not a test tube for misguided Republican ideological experiments on education. . ..Republicans in Congress should stop acting like plantation masters and start treating the people of D.C. with the respect they deserve.''

Mr. President, this is not just a racially offensive, irresponsible charge; it is the total inversion of reality. It is the opponents of school choice who want to require, compel, force minority children to remain in substandard schools. It is the opponents of school choice who want to confine poor minority children within the four walls of failed institutions, and sometimes just the four walls because the roofs are in disrepair.

Despite the infusion of hundreds of millions of dollars into this system, much of it is wasted irresponsibly in not providing either buildings or education to the children of the District of Columbia.

If there is a plantation here, it is a paternalistic plantation of those who somehow justify restricting the choices and options of poor children as a defense of their civil rights. As Alveda King said in room 207 just off the Senate floor here a week ago: One of the greatest civil rights issues for minority people today and for African-Americans is those who deny young black children the opportunity to receive an education. That condemns them, because of their income, because of where they live geographically, to a failed public school that fails to educate their children and condemns them to a lifetime of failure.

Let me suggest how we can respect the people of the District. We can respect them to make good choices in the interests of their children. We can respect them enough to give them options other than coercive assignment to failed and dangerous schools. We can respect them with resources, not with more lip service, platitudes, or promises. We can respect the right of a parent, the knowledge of a parent, the caring of a parent to make wise decisions for their children without the paternalistic attitude that only Congress or only bureaucrats, only the State, or only Government knows what is best for our children. This charge that supporters of school choice are plantation masters is deceptive and it is racist and it is hypocritical.

It is time for all of us, liberals and conservatives, to search our conscience. There are Members of this body who voted against scholarships for African-American children whose families have not darkened the door of public schools for generations. There are Members of the administration and this body, hours after those scholarships were defeated, who attended back-to-school night at Sidwell Friends, a school safe from leaking roofs and commonplace violence and failed education that prevails in so much of the District's public schools.

Does not anyone see the irony, does not anyone see the hypocrisy, does not anyone see the injustice in all of this?

Mr. President, I yield the floor.

Mr. FAIRCLOTH addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENTS NOS. 1271, 1272, 1273, 1274, 1275, AND 1276

Mr. FAIRCLOTH. Mr. President, I send a series of managers' amendments to the desk on behalf of myself and Senator BOXER and ask unanimous consent that they be considered en bloc and further ask unanimous consent that the reading of these amendments be waived.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. These amendments have been cleared on this side, and I ask for their immediate adoption.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Carolina [Mr. FAIRCLOTH], for himself and Mrs. BOXER, proposes en bloc amendments numbered 1271 through 1273.

The Senator from North Carolina [Mr. FAIRCLOTH], for Mr. BROWNBACK, proposes an amendment numbered 1274.

The Senator from California [Mrs. BOXER], for Mr. MOYNIHAN, proposes an amendment numbered 1275.

The Senator from California [Mrs. BOXER], for Mr. BYRD, proposes an amendment numbered 1276.

The amendments are as follows:

AMENDMENT NO. 1271

(Purpose: A technical amendment on the part of the manager of the bill)

On page 3, line 9, after ''facilities,'' insert the following: ''and for the administrative operating costs of the Office of the Corrections Trustee,''.

AMENDMENT NO. 1272

(Purpose: To make a technical amendment)

On page 4, line 4 and 5, strike ''Administrative Office of the United States Courts'' and insert ''District of Columbia Financial Responsibility and Management Assistance Authority''.

On page 4, lines 15 and 16, strike ''Administrative Office of the United States Courts'' and insert ''District of Columbia Financial Responsibility and Management Assistance Authority''.

AMENDMENT NO. 1273

(Purpose: To express the sense of the Senate supporting the management teams and management reform plans authorized in the District of Columbia Management Reform Act of 1997)

At the appropriate place, insert the following:

SEC. . It is the sense of the Senate that the management teams authorized in the District of Columbia Management Reform Act of 1997 should—

(1) take whatever steps are deemed necessary to identify the structural, operational, administrative, and other problems within the designated departments; and

(2) implement the management reform plans in accordance with the provisions of the District of Columbia Management Reform Act of 1997.

AMENDMENT NO. 1274

(Purpose: To ensure the effectiveness of the charter school program)

On page 9, line 17, strike ''$1,235,000'' and all that follows through ''134);'' on line 24 and insert ''$3,376,000 from local funds (not including funds already made available for District of Columbia public schools) for public charter schools: *Provided,* That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for new public charter schools on a per pupil basis: *Provided further,* That $400,000 be available to the District of Columbia Public Charter School Board for administrative costs: *Provided further,* That if the entirety of this allocation has not been provided as payment to 1 or more public charter schools by May 1, 1998, and remains unallocated, the funds shall be deposited into a special revolving loan fund to be used solely to assist existing or new public charter schools in meeting startup and operating costs: *Provided further,* That the District of Columbia Education Emergency Board of Trustees shall report to Congress not later than 120 days after the date of enactment of this Act on the capital needs of each public charter school and whether the current per pupil funding formula should reflect these needs: *Provided further,* That until the District of Columbia Education Emergency Board of Trustees reports to Congress as provided in the preceding proviso, the District of Columbia Education Emergency Board of Trustees shall take appropriate steps to provide public charter schools with assistance to meet all capital expenses in a manner that is equitable with respect assistance provided to other District of Columbia public schools: *Provided further,* That the District of Columbia Education Emergency Board of Trustees shall report to Congress not later than November 1, 1998, on the implementation of their policy to give preference to newly created District of Columbia public charter schools for surplus public school property;''.

Mr. BROWNBACK. Mr. President, I want to thank the chairman of the District of Columbia Appropriations Subcommittee for including the Brownback-Lieberman-Coats D.C. charter school amendment in the manager's amendment. I am also pleased that our amendment has bipartisan support. These charter school provisions are critical to ensure the success of charter schools in the District. Here in the Nation's Capital, unfortunately, the progress of creating charter schools has been slow. Legislation to create charter schools in the District was enacted in the last Congress but the District currently only has two charter schools.

I, along with the distinguished ranking member of the subcommittee, Senator LIEBERMAN, had the opportunity to visit one of these charter schools. The Options Public Charter School, which is just a few blocks from Capitol Hill, is the perfect example of the innovative approach charter schools bring to public education. It enrolls about 100 of the D.C. public schools most at-risk students, grades 5 to 8, and works closely with each student. As a result of this charter school education, the high school graduation rate for the Options Public Charter School is 75 percent compared to the approximate 50 percent graduation rate in the D.C. public schools.

To make sure the D.C. public charter school system follows the success of the Options Public Charter School and continues to grow, I, along with Senator LIEBERMAN and Senator COATS offered an amendment to expand funding for the D.C. public charter schools from $1,235,000 to $3,376,000 to ensure that current and future charter schools have adequate funding. In fiscal year 1998, the District of Columbia could have as many as 20 new charter schools. The $1.2 million appropriation is based on the budget of the two current charter schools. This amendment would also make sure there is sufficient funding for current public schools which would like to convert to a charter school.

Our amendment would also require the D.C. education emergency board of trustees to report to Congress on their implementation of policy providing preference to new charter schools for surplus D.C. public school property. It would also establish a revolving fund for D.C. charter schools for funds not spent by May 1, 1997. Under the current legislation, any remaining funds for charter schools must go into the D.C. general fund by May 1, 1997. This provision in the amendment would simply make sure that any funds appropriated for the D.C. charter schools will only be spent on the D.C. charter schools. In addition, the D.C. education emergency board of trustees would be required to report to Congress on the capital needs of each charter school within 120 days of enactment and to take all possible steps to provide assistance in capital costs for charter schools in the meantime.

I am pleased that our amendment is included in the manager's amendment and has the support of our Democratic colleagues. The charter school application process is underway in the District and new charter schools could begin to operate as early as January. Out goal is to make the Nation's Capital a shining city for the world to follow. One of the key elements of achieving this goal is to provide high quality education for the District's children. Charter schools in the District will inject accountability into D.C. public education, more options for parents and, most important, high quality education to the District's children.

AMENDMENT NO. 1275

(Purpose: To designate the year 2000 as the Year of the National Bicentennial Celebration for Washington, DC—the Nation's Capital)

At the appropriate place, insert the following:

SEC. . NATION'S CAPITAL BICENTENNIAL DESIGNATION ACT.

(a) SHORT TITLE; FINDINGS; PURPOSE.—

(1) SHORT TITLE.—This section may be cited as the ''Nation's Capital Bicentennial Designation Act''.

(2) FINDINGS.—The Senate finds that—

(A) the year 2000 will make the 200th anniversary of Washington, D.C. as the Nation's permanent capital, commencing when the Government moved from Philadelphia to the Federal City;

(B) the framers of the Constitution provided for the establishment of a special district to serve as ''the seat of Government of the United States'';

(C) the site for the city was selected under the direction of President George Washington, with construction initiated in 1791;

(D) in submitting his design to Congress, Major Pierre Charles L'Enfant included numerous parks, fountains, and sweeping avenues designed to reflect a vision as grand and as ambitious as the American experience itself;

(E) the capital city was named after President George Washington to commemorate and celebrate his triumph in building the Nation;

(F) as the seat of Government of the United States for almost 200 years, the Nation's capital has been a center of American culture and a world symbol of freedom and democracy;

(G) from Washington, D.C., President Abraham Lincoln labored to preserve the Union and the Reverend Martin Luther King, Jr. led an historic march that energized the civil rights movement, reminding America of its promise of liberty and justice for all; and

(H) The Government of the United States must continually work to ensure that the Nation's capital is and remains the shining city on the hill.

(3) PURPOSE.—The purposes of this section are to—

(A) designate the year 2000 as the ''Year of National Bicentennial Celebration for Washington, D.C.—the Nation's Capital''; and

(B) establish the Presidents' Day holiday in the year 2000 as a day of national celebration for the 200th anniversary of Washington, D.C.

(b) NATION'S CAPITAL NATIONAL BICENTENNIAL.—

(1) IN GENERAL.—The year 2000 is designated as the ''Year of the National Bicentennial Celebration for Washington, D.C.—the Nation's Capital'' and the Presidents' Day Federal holiday in the year 2000 is designated as a day of national celebration for the 200th anniversary of Washington, D.C.

(2) SENSE OF THE SENATE.—It is the sense of the Senate that all Federal entities should coordinate with and assist the Nation's Capital Bicentennial Celebration, a nonprofit 501(c)(3) entity, organized and operating pursuant to the laws of the District of Columbia, to ensure the success of events and projects undertaken to renew and celebrate the bicentennial of the establishment of Washington, D.C. as the Nation's capital.

AMENDMENT NO. 1276

(Purpose: To establish a remedial education pilot program in the District of Columbia in the District of Columbia public schools)

On page 49, between lines 13 and 14, insert the following:

SEC. 148. $4,000,000 from local funds shall be available for the establishment of a remedial education pilot program in the District of Columbia public school system to remain available through fiscal year 1999, of which $3,000,000 shall be used to create a one-year pilot program for the implementation of a remedial education program in reading and mathematics for the 3 lowest achieving elementary schools in the District of Columbia public school system (as to be determined by the District of Columbia public school system's Board of Education) and the training of teachers in remediation instruction at the targeted schools and $1,000,000 shall be used to establish a continuing education program for all teachers in the District of Columbia public school system. The General Accounting Office shall report to Congress on the effectiveness of the pilot program funded by this section at the end of fiscal year 1999.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 1271, 1272, 1273, 1274, 1275, and 1276) en bloc were agreed to.

Mr. FAIRCLOTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask unanimous consent the vote scheduled at 12:15 now occur at 12:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. For the interest of all Members, there has been a meeting at the White House that went a little over time and there are a number of Members involved. They will be here by 12:30, so the vote will be at 12:30.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent to speak as in morning business, notwithstanding the upcoming vote, for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

BOSNIA

Mr. ROBERTS. Mr. President, I rise today to voice my concern regarding actions last night in Bosnia. NATO forces, of which we constitute the major part, have again seized several Bosnian Serb radio transmitters because they were hostile to the peacekeeping goals of our forces.

No doubt that was the case. I have no question about that. But I suggest that were we at war and the issue more clear such action would be more than warranted. But we are not, Mr. President. We are trying to implement the Dayton accords, and as such I am concerned this action is not only questionable but may very well be counterproductive.

What did the stations do to warrant this action? They said bad things about the SFOR troops and our mission, and they tampered, apparently, with an hour-long program taped by Louise Arbor, head of the International War Crimes Tribunal.

The good news, Mr. President, is that no violence has occurred yet in regard to the seizure. But I remind my colleagues that the last time we did this our troops were stoned and we quickly returned the station. But we made the Serbs promise not to interfere with pro-Moslem or pro-SFOR messages. Is anyone really surprised, Mr. President, that the Serbs did not live up to that promise?

First question: Now what? Do we have a plan this time? Do we intend to monitor and control all of the media in Bosnia to ensure that only messages that meet our criteria are heard by the people of Bosnia? Is that what the NATO mission has become—one-sided and totally controlled by NATO? Will we put NATO media and our intelligence personnel, let's be frank about it, in charge to produce programs that fit our mission? Are we shining the light of truth into Serb darkness or are we holding a censorship flashlight?

If that is the case, I think you can make a good case that we are enforcing the peace and we are aggressively establishing media control, then let's not kid ourselves and continue to call our role even-handed peacekeeping.

But here is the second question: What will we do if the Serbs react violently to the seizure? General Clark has stated rightly that we will use lethal force to protect our forces. Is this the issue that will precipitate that lethal force? Is this how we would explain loss of life to the parents of an American man or woman in uniform stationed in Bosnia?

Mr. President, we need to hear from the administration on last night's action and they need to outline the plan to get us out of this tar baby.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

ANOTHER TRAGEDY

Mr. DEWINE. Mr. President, I rise today to call the attention of my colleagues to a story on the front page of last Thursday's Washington Post. This article tells the story of the beating death of a little 4-year-old girl, a little girl by the name of Monica Wheeler in Washington, DC. Monica was found dead in the bathroom of a man who was an acquaintance of her mother's. The police have ruled her death a homicide. In addition to being severely battered, Monica was suffering from malnutrition and showed signs of genital bleeding.

Now, Mr. President, 3 years ago, one of Monica's siblings, her brother, Andre, then age 2, was also found dead—in the same man's bathroom. That earlier death was ruled at that time an accidental drowning, but the police now are reopening that case.

Mr. President, it is up to the police and the courts to find out the truth about this particular tragedy. But one thing we know for certain is that there are far too many children returned to the care of people who have already abused and battered them, people who should not be allowed to take care of children at all. We know this occurs time and time again across this great country of ours.

Mr. President, every day in America three children actually die of abuse and neglect at the hands of their parents or their caretakers. That is over 1,200 children every year.

And almost half of these children are killed after—after—their tragic circumstances have already come to the attention of local child welfare agencies.

Mr. President, at the end of 1996, over 525,000 children were in foster homes. Over a year's time, it is estimated that over 650,000 children will spend some time in foster homes. Shockingly, 25 percent of the children in the foster care system at any one given point in time will languish in foster care longer than 4 years—25 percent of the kids. Ten percent will be in foster care longer than 7 years.